

REMARKS

In the Official Action mailed on **17 March 2009**, the Examiner reviewed claims 1-30. Examiner rejected claims 1-10, and 12-30 under 35 U.S.C. § 103(a) based on LaMotta et al. (U.S. Pub. No. 2003/0126018, hereinafter “LaMotta”), in view of Sullivan (U.S. Pub. No. 2003/0055754, hereinafter “Sullivan”). Examiner rejected claim 11 under 35 U.S.C. § 103(a) based on LaMotta, and George (U.S. Patent No. 5,946,668, hereinafter “George”).

Rejections under 35 U.S.C. § 103(a)

Examiner rejected independent claims 1, 15, 19, 23, and 27 as being unpatentable over LaMotta in view of Sullivan. Applicant respectfully disagrees with this rejection. Neither LaMotta nor Sullivan discloses a tax service that is configured to receive tax rules and data in an XML (Extensible Markup Language) format or an EDI (Electronic Data Interchange) format, **where the tax rules and data comprise a country name, a tax regime identifier, a tax identifier, a tax-type identifier, and a tax-jurisdiction identifier.**

LaMotta discloses using an XML-based interface for integrating multiple databases (LaMotta, pars. [0057], [0144]-[0148], [0160]-[0161]). But the LaMotta XML is used only to enable communications with ERP (Enterprise Resource Planning) ERP systems:

The database integration application provides an Extensive Markup Language (XML) based integration of the e-Commerce system of the present invention, with various organizations' Enterprise Resource Planning (ERP) systems, to support product availability, shipping and status information exchange (La Motta, par. [0057]).

In other words, the LaMotta system is **not** configured to receive tax rules and data in an XML (Extensible Markup Language) format or an EDI (Electronic Data Interchange) format, **where the tax rules and data comprise a country name, a**

tax regime identifier, a tax identifier, a tax-type identifier, and a tax-jurisdiction identifier. The LaMotta system uses XML to enable two databases to communicate with each other.

Examiner states that Sullivan discloses a tax service that is configured to receive tax rules and data in an XML format, citing Sullivan, pars. [0097]-[0101] and [0131]. In these passages, Sullivan discloses that XML is used only as a format for **transaction processing**, which is input to a tax processor. For example:

The selling/purchasing system converts then converts the input data to an extensible markup language (“XML”) format. The XML input data then may be transferred via hyper text transfer protocol (“HTTP”) to a JAVA web server of the transaction tax system (526) (Sullivan, par. [0097]).

In other words the Sullivan system merely uses an XML format as input to a **transaction-tax calculator**. A resulting tax calculation is shown in Sullivan Fig. 15B, which is mentioned in Sullivan, par. [0131]: “The selling/purchasing system may then take the XML transaction data and transform it into a readable text, which it displays on the web page, an example of which is shown in Fig. 15B.” This figure shows a transaction and associated tax charges. Nowhere does Sullivan disclose that the tax transaction system is configured to receive **tax rules and data** in an XML (Extensible Markup Language) format or an EDI (Electronic Data Interchange) format, **where the tax rules and data comprise a country name, a tax regime identifier, a tax identifier, a tax-type identifier, and a tax-jurisdiction identifier.**

In contrast, embodiments of the present invention involve a tax service that is configured to receive tax rules and data in an XML (Extensible Markup Language) format or an EDI (Electronic Data Interchange) format, **where the tax rules and data comprise a country name, a tax regime identifier, a tax identifier, a tax-type identifier, and a tax-jurisdiction identifier.** By configuring the tax service to receive tax rules and data, the system enables a

third party provider, a tax professional, or an end user to enter the tax rules and data in a machine readable format, **without requiring programming** (instant application, pars. [0038], [0055], and [0058]). The XML or EDI formats allows new jurisdictional rules to be implemented by merely loading additional data and rules in these formats (instant application, par. [0076]).

In particular the rules and data include country, tax regime, tax, tax type and tax jurisdiction. For example, the country might be “United States,” the tax regime might be “U.S. Sales Tax,” the tax might be “State Sales Tax,” the tax type might be “Sale Tax,” and the tax jurisdiction might be “California (State).” Other combinations of values for country, tax regime, tax, tax type, and tax jurisdiction are possible and can easily be entered by a non-programmer.

Note that LaMotta uses XML for communicating to ERP systems and Sullivan uses XML to communicate a transaction to a transaction tax system. Thus, nothing within LaMotta or Sullivan suggests or implies a tax service that is configured to receive tax rules and data in an XML format or an EDI format, **where the tax rules and data comprise a country name, a tax regime identifier, a tax identifier, a tax-type identifier, and a tax-jurisdiction identifier.**

Accordingly, Applicant has amended independent claims 1, 15, 19, 23, and 27 to clarify that embodiments of the present invention involve tax rules and data comprising a country name, a tax regime identifier, a tax identifier, a tax-type identifier, and a tax-jurisdiction identifier. Support for these amendments is found in instant application, pars. [0038], [0055], and [0058]. Hence, Applicant respectfully submits that independent claims 1, 15, 19, 23, and 27 as presently amended are in condition for allowance. Applicant also submits that claims 2-14, which depend upon claim 1, claims 16-18, which depend upon claim 15, claims 20-22, which depend upon claim 19, and claims 24-26, which depend upon claim 23, and claims 28-30, which dependent upon claim 27, are for the same reasons in

condition for allowance and for reasons of the unique combinations recited in such claims.

CONCLUSION

It is submitted that the present application is presently in form for allowance. Such action is respectfully requested.

Respectfully submitted,

By /Shun Yao/
Shun Yao
Registration No. 59,242

Date: 15 June 2009

Shun Yao
PARK, VAUGHAN & FLEMING LLP
2820 Fifth Street
Davis, CA 95618-7759
Tel: (530) 759-1667
Fax: (530) 759-1665
Email: shun@parklegal.com